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Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05A EXCESSIVE FORCE / ON DUTY - INJURY	-	DURING ARREST	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1056467 Type:CR

Accused Members

Review	Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View	DIXON, ENRICO	CLOSED/FINAL	NOT SUSTAINED	-	-	-	21-AUG-2012	N/A
View	SHEPARD, MICHAEL	CLOSED/FINAL	NOT SUSTAINED	-	-	-	16-MAY-2013	N/A

row(s) 1 - 2 of 2

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View	1	FACE SHEET	N/A	-	-	HEARD, LORRAINE	AUG-21-2012 12:03	-	-	-
View	2	CONFLICT CERTIFICATION	N/A	-	-	DAVIS, LORENZO	AUG-27-2012 09:19	-	-	-
View	3	CONFLICT CERTIFICATION	N/A	-	-	WILSON, GRACE	AUG-27-2012 12:31	-	-	-
View	4	AUDIO INTERVIEW	N/A	1	██████████ Complainant	YES WILSON, GRACE	AUG-27-2012 12:44	APPROVED	-	YES
View	5	INITIATION REPORT	N/A	2	LT. ADDUCI #757	- HOWARD, MIA	SEP-25-2012 12:01	APPROVED	-	YES
View	6	REPORT (OTHER)	N/A	1	PRISONER - ARRESTEE INTAKE REFUSAL/ ██████████ IR# 2003219	- HOWARD, MIA	SEP-25-2012 12:03	APPROVED	-	YES
View	7	REPORT (OTHER)	N/A	1	IPRA NOTICE/ ██████████	- HOWARD, MIA	SEP-25-2012 12:03	APPROVED	-	YES
View	8	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	██████████	- HOWARD, MIA	SEP-25-2012 12:04	APPROVED	-	YES
View	9	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	██████████	- HOWARD, MIA	SEP-25-2012 12:04	APPROVED	-	YES
View	10	PHOTOGRAPH	N/A	2	EAST 82ND PLACE/ SOUTH EXCHANGE AVE.	- HOWARD, MIA	SEP-25-2012 12:05	APPROVED	-	YES
View	11	RECOVERED VEHICLE SUPPLEMENTARY REPORT	N/A	2	MOTOR VEHICLE THEFT	- HOWARD, MIA	SEP-25-2012 12:06	APPROVED	-	YES
View	12	ARREST REPORT	N/A	5	██████████	- HOWARD, MIA	SEP-25-2012 12:06	APPROVED	-	YES

						MIA	2012 12:07		
View	13	TACTICAL RESPONSE REPORT (TRR)	N/A	2	OFFICER DIXON #12434	-	HOWARD, MIA	SEP-25-2012 12:07	APPROVED - YES
View	14	INVENTORY SHEET	N/A	2	INV# 12695343	-	HOWARD, MIA	SEP-25-2012 12:08	APPROVED - YES
View	15	GENERAL OFFENSE CASE REPORT	N/A	3	RD# HV438472	-	HOWARD, MIA	SEP-25-2012 12:08	APPROVED - YES
View	16	ATTENDANCE AND ASSIGNMENT RECORD	N/A	2	UNIT 212, 6TH WATCH	-	HOWARD, MIA	SEP-25-2012 12:09	APPROVED - YES
View	17	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	3	EVENT# 1223319009	-	HOWARD, MIA	SEP-25-2012 12:09	APPROVED - YES
View	18	GPS DATA	N/A	10	-	-	HOWARD, MIA	SEP-25-2012 12:10	APPROVED - YES
View	19	INVENTORY SHEET	N/A	1	UNIT# PD7342, INVENTORY FULL LISTING	-	HOWARD, MIA	SEP-25-2012 12:11	APPROVED - YES
View	20	CANVASS SHEETS	N/A	2	-	-	HOWARD, MIA	MAY-28-2013 10:04	APPROVED - YES
View	21	INTERVIEW-REPORTING PARTY	N/A	2	[REDACTED]	-	HOWARD, MIA	DEC-07-2012 15:24	APPROVED - YES
View	22	MEDICAL RECORDS	N/A	13	SOUTH SHORE HOSP.	-	HOWARD, MIA	DEC-07-2012 15:25	APPROVED - YES
View	23	TO/FROM REPORT	N/A	4	REQUEST FOR IN-CAR VIDEO/ NEGATIVE SEARCH	-	HOWARD, MIA	DEC-07-2012 15:27	APPROVED - YES
View	24	PHOTOGRAPH	N/A	7	CB PHOTOS OF [REDACTED]	-	HOWARD, MIA	DEC-07-2012 15:27	APPROVED - YES
View	25	COMPLAINANT STATEMENT	N/A	59	[REDACTED]	-	HOWARD, MIA	DEC-07-2012 15:28	APPROVED - YES
View	26	PHOTOGRAPH	N/A	12	[REDACTED]	-	HOWARD, MIA	MAY-14-2013 13:59	APPROVED - YES
View	27	ALPHA/STAR QUERY SEARCH	N/A	2	OFFICERS SHEPARD & DIXON	-	HOWARD, MIA	MAY-28-2013 10:04	APPROVED - YES
View	28	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	4	ACCUSED DEPT. MEMBERS	YES	HOWARD, MIA	JUL-12-2013 10:10	APPROVED - YES
View	29	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	OFFICER DIXON #12434	-	HOWARD, MIA	JUL-12-2013 10:11	APPROVED - YES
View	30	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	OFFICER DIXON #12434	-	HOWARD, MIA	JUL-12-2013 10:11	APPROVED - YES
View	31	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	OFFICER DIXON #12434	-	HOWARD, MIA	JUL-12-2013 10:12	APPROVED - YES
View	32	ACCUSED REPORT	N/A	1	OFFICER DIXON #12434	-	HOWARD, MIA	JUL-12-2013 10:12	APPROVED - YES
View	33	NOTIFICATION OF CHARGES/ALLEGATIONS	N/A	1	OFFICER SHEPARD #9736	-	HOWARD, MIA	JUL-12-2013 10:13	APPROVED - YES
View	34	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	OFFICER SHEPARD #9736	-	HOWARD, MIA	JUL-12-2013 10:13	APPROVED - YES
View	35	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	OFFICER SHEPARD #9736	-	HOWARD, MIA	JUL-12-2013 10:14	APPROVED - YES
View	36	ACCUSED REPORT	N/A	1	OFFICER	-	HOWARD, MIA	JUL-12-	APPROVED - YES

					SHEPARD SR. #9736	MIA	2013 10:15		
View	37	ARREST REPORT	N/A	5	[REDACTED]	-	HOWARD, MIA	JUL-26- 2013 12:15	APPROVED - YES
View	38	PHOTOGRAPH	N/A	1	CB PHOTOS OF [REDACTED]	-	HOWARD, MIA	JUL-26- 2013 12:16	APPROVED - YES
View	39	LETTER TO WITNESS	N/A	1	[REDACTED]	-	HOWARD, MIA	JUL-26- 2013 12:21	APPROVED - YES
View	40	DETECTIVE SUPPLEMENTARY REPORT	N/A	8	CLEARED OPEN (ARREST AND PROSECUTION), RD# HV438472	-	HOWARD, MIA	JUL-26- 2013 12:24	APPROVED - YES
View	41	ATTEMPT TO CONTACT	N/A	2	[REDACTED]	YES	WILSON, GRACE	AUG-14- 2013 12:46	APPROVED - YES
View	42	INVESTIGATOR CASE LOG	N/A	1	-	-	HOWARD, MIA	JUL-26- 2013 12:32	APPROVED - YES
View	-	SUMMARY REPORT DIGEST	N/A	6	-	NO	DAVIS, LORENZO	AUG-14- 2013 16:14	APPROVED - YES

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents

☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History

☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/FINAL	17-DEC-2013 10:39	HAZBIC, AMRA	CLERK 3	[REDACTED]	113 / -	-
PENDING IMPLEMENT ACTION	10-OCT-2013 20:27	GULLIFORD, WAYNE	CHIEF	[REDACTED]	142 / -	-
PENDING COMMAND CHANNEL REVIEW	03-OCT-2013 10:40	CALLOWAY, KEITH	DEP CHIEF	[REDACTED]	212 / -	-
PENDING COMMAND CHANNEL REVIEW	13-SEP-2013 08:16	SUSNIS, MAUREEN	SERGEANT OF POLICE	[REDACTED]	114 / 121	-
PENDING ADVOCATE REVIEW	12-SEP-2013 15:52	SANCHEZ, NELLY	POLICE OFFICER	[REDACTED]	121 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	16-AUG-2013 10:02	MCGHEE, CYNTHIA	CLERK 3	[REDACTED]	113 / -	-
CLOSED AT C.O.P.A.	16-AUG-2013 10:00	MCGHEE, CYNTHIA	CLERK 3	[REDACTED]	113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	14-AUG-2013 16:14	DAVIS, LORENZO	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	14-AUG-2013 16:12	WILSON, GRACE	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	14-AUG-2013 16:10	DAVIS, LORENZO	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE	14-AUG-	WILSON, GRACE	INVESTIGATOR	[REDACTED]	113 / -	-

REVIEW	2013 16:04		3 COPA			
PENDING INVESTIGATION	27-AUG- 2012 09:19	DAVIS, LORENZO	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	23-AUG- 2012 15:03	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	Type Changed from INFO to CR on 23-AUG- 2012 15:03 by STOUTENBOROUGH, ANDREA Affidavit information for this Log Number has changed on 23-AUG-2012 15:03 by STOUTENBOROUGH, ANDREA
PENDING ASSIGN TEAM	23-AUG- 2012 15:03	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	23-AUG- 2012 15:02	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	-
PRELIMINARY	23-AUG- 2012 15:02	STOUTENBOROUGH, ANDREA	SUPERVISING INV COPA		113 / -	correct first name from " " to " "
PENDING ASSIGN TEAM	22-AUG- 2012 07:18	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR		113 / -	-
PENDING SUPERVISOR REVIEW	22-AUG- 2012 06:56	TOUSANT, LISA	INTAKE AIDE		113 / -	-
PRELIMINARY	21-AUG- 2012 12:03	HEARD, LORRAINE	POLICE AIDE		716 / 113	-

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Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
DIXON, ENRICO	1	CALLOWAY, KEITH
DIXON, ENRICO	2	GULLIFORD, WAYNE
SHEPARD, MICHAEL	1	CALLOWAY, KEITH
SHEPARD, MICHAEL	2	GULLIFORD, WAYNE

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SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1056467TYPE
CRDATE OF REPORT
14-AUG-2013

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
WILSON, GRACE	9181			113	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 8229 S. EXCHANGE AVE, CHICAGO, IL 60617	DATE / TIME 20-AUG-2012 22:08	BEAT: 424
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
DIXON, ENRICO R	9161	12434		007	212	M / BLK	1976	30-APR-2001	YES	YES
SHEPARD, MICHAEL R	9161	9736		007	212	M / BLK	1968	25-FEB-2002	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	/ 20

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	/ 20
		CHICAGO, IL		M / BLK	/

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

SEE PAGE TWO

SUMMARY

SEE PAGE TWO

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
4 - 6	32 and 36	24	37

FINDINGS - RECOMMENDATIONS

FINDINGS:

Accused Officer Enrico Dixon, star # 12434:
Allegations #1 and #2-----Not Sustained

Accused Officer Michael Shepard, star # 9736:
Allegations #1-#3-----Not Sustained

APPROVED:



IPRA Supervisor Lorenzo Davis

DATE INITIATED
(Date incident was received for investigation)

27-AUG-2012

DATE COMPLETED (Date of this report)

14-AUG-2013

ELAPSED TIME
(Total time expressed in days)

352

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



ALLEGATIONS:

On 21 August 2012, Lt. Adduci, star # 757, assigned to the 4th District, contacted the Independent Police Review Authority (IPRA) and filed a complaint with Intake Aide Lorraine Heard, on behalf of the Complainant, [REDACTED] Mr. [REDACTED] alleges that on 20 August 2012, at approximately 2235 hours, while in the vicinity of 8229 S. Exchange Ave., Accused Officer Enrico Dixon, star # 12434, Unit 7th District:

1. Intentionally struck [REDACTED] twice on his head and his right side with a gun; and
2. Called [REDACTED] a motherfucker.

It is alleged that on 20 August 2012, at approximately 2235 hours, while in the vicinity of 8229 S. Exchange Ave., during the same incident, Accused Officer Michael Shepard, star # 9736, Unit 7th District:

1. Pulled [REDACTED] from a vehicle and pushed him to the ground without justification;
2. [REDACTED] on his face; and
3. Referred to [REDACTED] and [REDACTED] as "niggas."

INVESTIGATION:

Lt. Mark Adduci, star # 757, assigned to the 4th District Station, provided an **Initiation Report**. Lt. Adduci reported that he was informed that Mr. [REDACTED] was being returned to the lockup because "Branch 35" had refused to take him due to Mr. [REDACTED] head injury. Mr. [REDACTED] was subsequently transported to the South Shore Hospital for medical treatment. Once Mr. [REDACTED] was transported back to the 4th District Station, Lt. Adduci obtained a copy of a report, prepared by Cook County Sheriff Miguel Dominguez. According to Mr. Dominguez's report, Mr. [REDACTED] alleged that on 20 August 2012, during his arrest at 8229 S. Exchange Ave., he was injured by the police. Lt. Adduci interviewed Mr. [REDACTED] about the incident, at which time Mr. [REDACTED] stated that he was asleep in a stolen car with some other unknown persons (including his friend named [REDACTED] when the police arrived. The other persons fled the scene, but he remained inside the vehicle. Mr. [REDACTED] stated that when the police got closer to the vehicle he attempted to exit, but Officer Enrico Dixon, star # 12434, approached him and struck him twice on his head with a pistol. Mr. [REDACTED] stated that he was subsequently placed under arrest (Att. #s 5, 6).

Mr. [REDACTED] photos reveal dried blood on the right side of his neck (Att. #s 24, 26).

Mr. [REDACTED] medical records state that he was admitted to South Shore Hospital on 21 August 2012. Mr. [REDACTED] told the hospital staff that he was in a stolen car when the police arrived and pistol-whipped him. Mr. [REDACTED] complained of an abrasion to the right

side of his neck. Mr. [REDACTED] was diagnosed as having sustained a superficial ¼ inch injury to his right ear, but the records indicate that no bleeding was noted (Att. # 22).

Mr. [REDACTED] provided an interview at the 4th District Station's lockup. Mr. [REDACTED] stated that on 21 August 2012, at approximately 2235 hours, he and some friends were riding in a black 2006 Toyota Corolla when they were curbed by the police. They were ordered out of the vehicle, at which point the occupants fled. Mr. [REDACTED] remained at the vehicle. Officer Dixon pulled Mr. [REDACTED] from the vehicle and Officer Sheppard pulled [REDACTED] from the vehicle and threw him to the ground. Officer Dixon struck Mr. [REDACTED] on his head with his gun twice. Officer Sheppard checked Mr. [REDACTED] and Mr. [REDACTED] names in their computer while Officer Dixon searched the vehicle. At some point Officer Dixon referred to Mr. [REDACTED] as a "motherfucker" and Officer Sheppard referred to Mr. [REDACTED] and Mr. [REDACTED] as "niggas" (Att. #s 21, 25).

Attempts were made to obtain an interview from Mr. [REDACTED] but he failed to cooperate with the investigation (Att. #s 39, 40).

A **canvass** was conducted, but no additional witnesses were located (Att. # 20).

Chicago Police Department reports indicate that [REDACTED] was arrested on 20 August 2012, at 2235 hours, at 8229 S. Exchange for Criminal Trespass to Vehicle and for Resisting/Obstructing a Police Officer. The Supplementary Case Report for a Recovered Vehicle indicates that when the officers observed the stolen vehicle make an improper turn, they curbed it to conduct a traffic stop. The occupants, [REDACTED] and [REDACTED] attempted to flee, at which point Officer Dixon pushed Mr. [REDACTED] back inside the vehicle. Once the occupants were located and placed into custody, they were transported to the District Station for processing. The officers spoke with the owner of the vehicle who told the police that she had not given the occupants permission to be in the vehicle. The occupants were subsequently placed under arrest (Att. #s 11-14).

Officer Dixon's Tactical Response Report states that Mr. [REDACTED] failed to follow verbal commands; that he pulled away from the officers and that he aggressively approached the officers. Officer Dixon reported that he used his presence, verbal commands and an open hand strike in order to place Mr. [REDACTED] into custody (Att. # 13).

Accused Officer Enrico Dixon provided a **To/From Subject Report**. Officer Dixon stated that on 20 August 2012, he was working beat 41S20D with Officer Sheppard. The officers were dressed in full uniform and driving a marked squad car when they monitored a shots-fired call. They patrolled the area of 8200 S. Exchange and observed a driver commit a minor traffic violation. The officers contacted a dispatcher and requested registration information, and a computer check revealed that the vehicle was stolen. The officers attempted to curb the vehicle, which had four occupants inside. Once the officers exited and approached the vehicle, Mr. [REDACTED] attempted to exit the rear seat and elude the police, but Officer Dixon pushed Mr. [REDACTED] back inside the vehicle. [REDACTED] pushed and pulled away from Officer Dixon and made a second attempt to flee, but Officer

Dixon gained control of Mr. [REDACTED]. Once Mr. [REDACTED] was taken into custody, he was advised of his rights and transported to the District Station for processing. Officer Dixon reported that he completed a Tactical Response Report outlining his contact with Mr. [REDACTED]. Officer Dixon denied the allegations lodged against him (Att. # 32).

Accused Officer Michael Shepard provided a **To/From Subject Report**. Officer Shepard stated that he monitored a call of "five people shot" near 8200 S. Exchange. Officer Shepard reported that he and Officer Dixon responded to tour the area and while on patrol they observed a driver commit a minor traffic violation. They observed four occupants and proceeded to curb the vehicle. Some of the occupants started to flee. Officer Shepard caught up with [REDACTED] and proceeded to grab Mr. [REDACTED] arm and order him to lie on the ground. Once Mr. [REDACTED] was taken into custody, he was advised of his rights and transported to the District Station without further incident. Officer Shepard denied the allegations lodged against him (Att. # 36).

CONCLUSION:

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #1** that Officer Enrico Dixon, star # 12434, intentionally struck [REDACTED] twice on his head and right side with a gun. The complainant contends that the incident occurred as alleged. While there is medical evidence and photographs to substantiate that injury was sustained, there is insufficient evidence to prove how the injuries occurred. The lack of any independent eye-witness, or any video recording of that phase of the incident, renders the existing personal evidence, in and of itself, insufficient to act as a reasonably reliable basis from which to conclusively confirm or refute this allegation. As a result this allegation will be Not Sustained.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #2** that Officer Enrico Dixon, star # 12434, called [REDACTED] a "motherfucker." The complainant contends that the incident occurred as alleged. The lack of any independent eye-witness, or any video recording of that phase of the incident, renders the existing personal evidence, in and of itself, insufficient to act as a reasonably reliable basis from which to conclusively confirm or refute this allegation. As a result this allegation will be Not Sustained.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #1** that Officer Michael Shepard, star # 9583, pulled [REDACTED] from a vehicle and pushed him to the ground without justification. The complainant contends that the incident occurred as alleged. The victim, Mr. [REDACTED] failed to cooperate with the investigation. The lack of any independent eye-witness, or any video recording of that phase of the incident, renders the existing personal evidence, in and of itself, insufficient to act as a reasonably reliable basis from which to conclusively confirm or refute this allegation. As a result this allegation will be Not Sustained.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #2** that Officer Michael Shepard, star # 9583, slapped Mr. [REDACTED] on his face. The

complainant contends that the incident occurred as alleged. Mr. [REDACTED] failed to cooperate with the investigation. The lack of any independent eye-witness, or any video recording of that phase of the incident, renders the existing personal evidence, in and of itself, insufficient to act as a reasonably reliable basis from which to conclusively confirm or refute this allegation. As a result this allegation will be Not Sustained.

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegation #3** that Officer Michael Shepard, star # 9583, referred to Mr. [REDACTED] and Mr. [REDACTED] as "niggas." The complainant contends that the incident occurred as alleged. Mr. [REDACTED] failed to cooperate with the investigation. The lack of any independent eye-witness, or any video recording of that phase of the incident, renders the existing personal evidence, in and of itself, insufficient to act as a reasonably reliable basis from which to conclusively confirm or refute this allegation. As a result this allegation will be Not Sustained.

Typed by Inv. G. Wilson, badge # 110